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July 20, 2023

Hon. Vera M. Scanlon  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 10007

**Re: Artec Europe S.À.R.L. v. Shenzhen Creality 3D Tech. Co., Ltd, et al.**  
**Case No.: 1:22-1676 (OEM)(VMS)**

Dear Judge Scanlon:

We represent Plaintiff Artec Europe S.à.r.l. (“Artec”) in the above matter. We write regarding the following items pending before Your Honor:

- Dkt. 100: Artec’s Letter Motion for Extension of Time to Amend Pleadings;
- Dkt. 101: Artec’s Letter Motion for Pre-Motion Conference Regarding Proposed Second Amended Complaint;<sup>1</sup>
- Dkt. 102: Artec’s Letter Regarding Service of Motion for Leave to File Second Amended Complaint;<sup>2</sup> and
- Dkt. 103: Artec’s Letter Motion for Extension of Time to File Response/Reply to Artec’s Letter Motion for Pre-Motion Conference.<sup>3</sup>

As Artec informed the Court in its various filings, the parties worked in good faith to reach an agreement regarding Artec’s Proposed Second Amended Complaint. As a result of those discussions, the parties reached an agreement whereby Defendants will consent to the filing of the Proposed Second Amended Complaint in exchange for a modest extension to the schedule to allow the parties additional time to address the newly-added patents.

Accordingly, the parties agree that Dkts. 100-103 are now moot. The parties respectfully request that, pursuant to Fed. R. Civ. P. 15(a)(2), the Court permit Artec to file its Proposed Second Amended Complaint. Further, the parties respectfully request the Court enter an order adopting the below revised schedule:

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<sup>1</sup> Referred to Your Honor pursuant to Judge Merchant’s July 14, 2023 Order Referring Motion.

<sup>2</sup> Referred to Your Honor pursuant to Judge Merchant’s July 14, 2023 Order Referring Motion.

<sup>3</sup> Referred to Your Honor pursuant to Judge Merchant’s July 18, 2023 Order Referring Motion.

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<b>Current Deadline</b>	<b>Parties Proposed Deadline</b>	<b>Event</b>
<b>07/24/2023</b>	<b>09/22/2023</b>	Artec to comply with Local Patent Rule 6 – Disclosure of Asserted Claim and Infringement Contentions
<b>05/01/2023 (extended by agreement)</b>	<b>09/22/2023</b>	To the extent source code is provided for a product, Plaintiff to serve Copyright Infringement Contentions identifying Plaintiff's material allegedly copied, the instances of alleged infringement and whether copying is literal or non-literal.
<b>09/07/2023</b>	<b>11/07/2023</b>	Defendants to comply with Local Patent Rule 7 – Invalidity Contentions  Defendant to serve its copyright non-infringement and invalidity contentions indicating, for each instance of alleged infringement: whether Defendant contends such instance (1) is the product of independent creation, (2) is based on non-copyrightable material, and/or (3) does not infringe, as well as the basis for each of those contentions.
<b>10/13/2023</b>	<b>12/15/2023</b>	Exchange Claim Terms in Need of Construction <sup>4</sup>
<b>11/17/2023</b>	<b>01/19/2024</b>	Join Claim Construction Chart
<b>12/11/2023</b>	<b>02/13/2024</b>	Complete <i>Markman</i> fact discovery
<b>12/18/2023</b>	<b>02/19/2024</b>	Plaintiff's Opening Claim Construction Brief
<b>01/17/2024</b>	<b>03/20/2024</b>	Defendants' Responsive Claim Construction Brief
<b>02/21/2024 or before</b>	<b>04/22/2024 or before</b>	<i>Markman</i> Hearing

This is the parties' second joint request for extension of these deadlines, and there have been no other requests for extension of this deadline. All parties consent to this request.

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<sup>4</sup> After the filing of the Second Amended Complaint, the parties will separately submit a letter motion to Judge Merchant requesting the Court enter the agreed patent-related deadlines contained in this schedule. The Court has not yet acted on Artec's May 30, 2023 Letter Motion for Discovery Schedule of Patent Deadlines and Markman Hearing (Dkt. 96). Thus, this proposed schedule does not alter any Court approved *Markman* deadlines.

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We thank the Court for its attention to this matter.

Respectfully,

*/s/ Richard de Bodo*

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